

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 9 June 2016 in the Council Offices, Ballyronan Road, Magherafelt

Members Present

Councillor Gildernew, Chair

Councillors Ashton, Bateson, Buchanan, Cuddy (7.08 pm), Elattar, Forde, Mallaghan, McKinney, McPeake, Molloy, S McGuigan, McLean, M Quinn (7.09 pm), T Quinn and Totten

Officers in Attendance

Mrs M Canavan, Director of Organisational Development
Mr A Cassells, Director of Environment & Property
Mrs C McNally, Council Solicitor
Mrs U Mezza, Head of Marketing & Communications
Mr P Moffett, Head of Democratic Services
Mr JJ Tohill, Director of Finance
Mrs M Grogan, Committee Services Officer

The meeting commenced at 7.00 pm.

PR118/16 Apologies

None

PR119/16 Declaration of Interest

The Chair, Councillor Gildernew reminded members of their responsibility with regard to declarations of interest.

PR120/16 Chair's Business

No business was raised.

PR121/16 Receive and confirm minutes of the Policy and Resources Committee held on Wednesday 11 May 2016

Proposed by Councillor McGuigan
Seconded by Councillor Buchanan and

Resolved: That the minutes of the meeting of the Policy & Resources Committee held on Wednesday 11 May 2016 (PR089/16 – PR105/16 and PR117/16) were considered and signed as accurate and correct.

Matters for Decision

PR122/16 Mid Ulster Business Awards Sponsorship

The Head of Marketing & Communications drew attention to the previously circulated report to consider the opportunity to become a principal sponsor of the Mid Ulster Business Awards. She advised that for the first time, the opportunity exists to be a principal sponsor which entitles the Council to be named in the award title (e.g. Mid Ulster Mail Tyrone Times and Mid Ulster District Council) at a cost of £6,500. This cost has been negotiated to £5,000, reflecting a 25% reduction.

Councillor Mallaghan stated it was a good thing to be associated with and good to see the Council working with top business. He also commended the Head of Marketing & Communications on her negotiating skills.

Councillor McLean agreed with that it was good to be seen promoting businesses but enquired if there was any conflict of interest with the press.

The Director of Finance advised that Council sponsoring the Business Awards would not conflict with business relations with the press. Council had previously procured its advertising requirements and there was no connection between the contractual arrangements arising on foot of the process and participation in the Business Awards as a main sponsor.

Proposed by Councillor Mallaghan
Seconded by Councillor McLean and

Resolved: That it be recommended to the Council that approval be given to becoming a principal sponsor of the 2016 Mid Ulster Business Awards.

Councillor Cuddy entered the meeting at 7.08 pm.

PR123/16 Seamus Heaney HomePlace, Bellaghy – Licensing

The Council Solicitor drew attention to the previously circulated report to seek Members' approval to apply for the grant of a licence for a place of public entertainment (i.e. a theatre liquor licence) for the Seamus Heaney HomePlace ("the Centre") and to seek Members' approval in respect of Council officer's attendance at licensing hearing as a witness on behalf of the Council.

Councillors McLean and Forde wanted it recorded that they opposed the application as they were not in support of the liquor licence.

M Quinn entered the meeting at 7.09 pm.

Proposed by Councillor McPeake
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be given to:

- a) Progressing an application for the grant of a licence for a place of public entertainment (i.e. a theatre liquor licence) for the Seamus Heaney HomePlace.
- b) The attendance of Brian McCormick (and/or any other Council Officer that the Council Solicitor deems to be appropriate), to attend the

licensing application(s) for Seamus Heaney HomePlace as a witness and to give evidence on behalf of Mid Ulster District Council.

PR124/16 Off Street Car Park – Draft Administrative Order

The Council Solicitor drew attention to the previously circulated report to seek Members' approval in respect of the draft Off Street Car Parks Order in Council at Annex A and to consult and provide notice on same in accordance with the legislation.

Councillor Molloy stated that there was nothing mentioned about fixed penalties and enquired if this should be included in the Order.

The Council Solicitor advised that this Order is effectively a carbon copy of what is currently in place for all of the car parks throughout Northern Ireland. The issue of fixed penalties is dealt with under separate legislation.

The Council Solicitor stated that this type of Order solely relates to the provision of parking places, the conditions of use, the charges to be applied etc. and if the Council wants to amend the provisions within the Order then this can be achieved.

The Director of Organisational Development entered the meeting at 7.14 pm.

Councillor Elattar raised concern about the lack of uniformity across the three Mid Ulster areas regarding car parking tariffs.

Councillor McLean expressed his concerns in relation to the differential between Magherafelt and Cookstown in relation to parking charges as there is free carparking in Cookstown but not in Magherafelt. He asked if these arrangements could be changed going forward and further advised that there were problems with the mobile app intended to facilitate prepay parking as there was no network coverage in certain car parks within the district.

Councillor Forde expressed her concern about shoppers bypassing Magherafelt and going to Cookstown to do their shopping because of the free carparking. She also raised her concern about the parking meters in Magherafelt not giving back change and referred to an instance where a lady, who could not get a payment machine to work, received a parking ticket despite having drawn the attendant's attention to the problem by leaving a note on her car.

The Council Solicitor advised that the Off-Street Carparking Order would be brought to the Environment Committee for information and then the final version would come back to P&R for approval after amendments and comments were taken on board.

The Council Solicitor advised that the Council had agreed to undertake a Car Parking Strategy where tariffs and other issues would be investigated during that process.

The Director of Environment & Property advised that at the May 2016 Environment Committee meeting, the Committee agreed to recommend to Council that it commission consultants to assist Council to develop an Off Street Car Parking

Strategy for Mid Ulster District Council. He advised that if the resultant Strategy proposal is approved by Council, amendment Orders can be brought forward as and when changes are required. Any changes would be then be supported by appropriate legislation.

Proposed by Councillor McGuigan
Seconded by Councillor Buchanan and

Resolved: That it be recommended to the Council that approval be granted in respect of the draft Off Street Car Parks Order in Council at Annex A and thereafter to consult and provide notice on same in accordance with the legislation.

The Director of Environment & Properties left the meeting at 7.22 pm.

PR125/16 Spaces and Places Project – Lease at Benburb Playing Fields

The Council Solicitor drew attention to the previously circulated report to seek Members' approval:

- a) To enter into a lease with Benburb & District Community Association (B&DCA) and
- b) To enter into a tripartite deed of dedication, as amended, with the project funder and B&DCA in order for funding to be available for the Space and Place grant.

The Chair, Councillor Gildernew stated that he fully supported this initiative as it has been ongoing for a long time.

Councillor Molloy agreed that it was good to see this going forward.

Councillor Ashton also agreed that it was good to see it progressing but it was her understanding that a Licence was going to be granted not a Lease. She enquired if the Council would still be responsible for maintaining the grass.

The Council Solicitor said that she queried with the Funders if a Licence was suffice, but they were adamant that due to legalities that a Lease would be required. She advised that the Council would continue to maintain the Playing Fields and the Lease was drafted in such a manner that once the project works had completed, that the Council would also maintain the rest of the area around the playing fields.

Councillor Mallaghan requested that congratulations passed on to Benburb & District Community Association on their achievement of securing the funding as it was a very rigorous process.

Proposed by Councillor Molloy
Seconded by Councillor Gildernew and

Resolved: That it be recommended to the Council that approval be granted for the:

- a) Lease at Appendix A and that the Council grants the lease to B&DCA on the terms within.
- b) The deed of dedication at Appendix B, which has been amended to reflect that the land is unregistered, and enter in to same on the terms within.

PR126/16 Corporate Improvement Plan 2016-2017

The Head of Democratic Services drew attention to the previously circulated report to consider for approval a Corporate Improvement Plan for the period 2016-2017.

Councillor Cuddy stated that there were a lot of documents coming through and felt that this was more of a paper exercise rather than looking for results and improvements and that there was a need to focus on moving on. He went on to say it was his opinion that the residents in the former Dungannon district were paying a lot more rates for less services compared to the residents of the former Cookstown and Magherafelt districts and enquired if these reports were of any benefit to addressing the issues on the ground.

Councillor Cuddy further raised his concern in relation to Members being overloaded with reports.

Proposed by Councillor McGuigan
Seconded by Councillor T Quinn and

Resolved: That it be recommended to the Council that approval be given to the Corporate Improvement Plan for the period 2016-17.

Matters for Information

PR127/16 Restructure of NI Government Departments & NI Assembly Committees

Councillor Gildernew declared an interest in Restructure of NI Government Departments & NI Assembly Committees.

The Head of Democratic Services drew attention to the previously circulated report to update the Committee on the new Northern Ireland Government Departments and membership of the NI Assembly Statutory and Standing Committees following the 5 May 2016 Assembly Election.

Resolved: That it be recommended to the Council that the Committee notes the contents on Restructure of NI Government Departments & NI Assembly Committees.

PR128/16 Members' Allowance Update

The Director of Finance drew attention to the previously circulated report to provide Members with an update in relation to "in committee" discussions in relation to Members' Allowances at the Council meeting held on Thursday 26 May 2016. He

explained that he had discussed the issues with representatives from the Department for Communities (formerly the Department of the Environment) (DfC) and outlined their responses to the various issues.

Noting that the report was “for information” the Director of Finance asked if Members felt that it was appropriate for Council to amend its Scheme of Allowances to reflect the DfC’s new terminology “all the time commitment” in relation to the purpose of the Basic Allowance, which was payable to elected Members.

Councillor Mallaghan enquired what difference would it make if Council amended its Scheme of Allowances in relation to the change in terminology from “full time commitment” to “all the time commitment”.

The Director of Finance advised he had thought that a query from an employer on what remuneration his employee received in relation to being an elected Member had been the catalyst for the DfC’s change in terminology. The employer in question had raised the query to see if the answer supported his desire to only grant the Member unpaid leave for councillor related activities. The DfC representatives, however, had advised that the change had resulted from an enquiry from an elected Member who had asked whether the position of councillor was a full time or part time position.

The Director of Finance in responding to Councillor Mallaghan’s question, stated that in his opinion, changing the wording in the Scheme of Allowances would make no difference to councillors or the allowances that they received.

Resolved: That it be recommended to the Council that Members note the contents of the report on Members’ Allowance Update.

Confidential Business

Proposed by Councillor McPeake
Seconded by Councillor T Quinn

Resolved: That items (PR129/16 to PR134) be taken as confidential business.

PR135/16 Duration of Meeting

The meeting was called for 7 pm and concluded at 8.15 pm.

CHAIR _____

DATE _____